

CALIFORNIA COASTAL COMMISSION

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: February 23, 2012

To: All Interested Parties

From: Madeline Cavalieri, Central Coast District Manager *MC*
Daniel Robinson, Coastal Planner *DR*

Subject: Proposed Amendment to Coastal Development Permit (CDP) A-3-SLO-09-055/069
Applicant: San Luis Obispo County

Original CDP Approval

CDP A-3-SLO-09-055/069 was originally approved by the Coastal Commission on June 11, 2010, and it authorized the construction and operation of a community sewer system (including a treatment plant, collection/disposal/reuse facilities, and all associated development and infrastructure) in the unincorporated coastal community of Los Osos adjacent to Morro Bay in central San Luis Obispo County (with the treatment plant located at 2198 Los Osos Valley Road and other related infrastructure located throughout Los Osos).

Proposed CDP Amendment

CDP A-3-SLO-09-055/069 would be amended to allow the generator building associated with the Midtown pump station facility to be relocated from Los Osos Community Park to the parking lot area of the Los Osos branch of the San Luis Obispo County Library system. The Commission's reference number for this proposed amendment is A-3-SLO-09-055/069-A1.

Executive Director's Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The Commission's original CDP approval required the Midtown pump station generator building to be moved away from the rest of the Midtown pump station facilities and across Palisades Avenue to an already disturbed area of the Los Osos Community Park site in order to limit the scope of Midtown pump station facility development to help reduce coastal resource impacts associated with that pump station. However, the County subsequently discovered that the Park is restricted against non-recreational development, such as a generator building, by virtue of the National Park Service requirements associated with Park Service funding for the Park. Thus, the County has proposed to instead move the generator building into the wood chip/ornamental landscape area that rings the Los Osos Library parking lot, across Palisades Avenue from the Park. The generator building itself would be unchanged from the original approved design (about 17 feet by 28 feet and under 14 feet high), it would be located immediately adjacent to the parking lot pavement edge, all associated connections (underground) between Midtown pump station facilities and the generator building would be substantially the same as originally approved, and the area immediately surrounding the building would be landscaped with native



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shrubs appropriate for this location to help screen it from view. Although siting the generator building in this alternate location just off the library parking lot would require some minor trimming of several branches of a low-growing ornamental eucalyptus (i.e., these trees were planted around the perimeter of the parking lot), the eucalyptus in this location are ornamental plantings that do not provide a habitat function (e.g., for monarch butterflies), and the site has been recently surveyed and inspected and found to contain no sensitive habitat as defined in the LCP, including no suitable habitat for the federally endangered Morro shoulderband snail. USFWS has concurred that the proposed relocated building site is poor habitat for this species, and that it is highly unlikely that snails would be located here. The project includes built-in measures (including pre-construction surveys and relocation provisions) to address any unexpected species issues. USFWS further indicates that the proposed building relocation is within the scope of their Biological Opinion (BO) issued for the overall project and, although they intend to administratively note the change in the BO, it does not change their authorization for the project.

In short, the proposed amended generator building location is consistent with the Commission's intention in the original CDP approval in terms of relocating this building, and this minor location change will not lead to significantly different impacts than those originally understood and approved by the Commission in June 2010. The proposed amendment is consistent with the Commission's original CDP approval, the certified LCP, and the Coastal Act's access and recreation policies.

Coastal Commission Review Procedure

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on March 8, 2012, in Chula Vista. If three Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

If you have any questions about the proposal or wish to register an objection, please contact Daniel Robinson in the Central Coast District office.



California Coastal Commission